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& Locksmith Advisory Committee

**FILED**  
**FIRE ALARM, BURGLAR ALARM AND**  
**LOCKSMITH ADVISORY COMMITTEE**

4/17/2012

*[Signature]*

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
NEW JERSEY STATE FIRE ALARM, BURGLAR ALARM  
& LOCKSMITH ADVISORY COMMITTEE

IN THE MATTER OF THE SUSPENSION OR	:	
REVOCATION OF THE LICENSES OF	:	Administrative Action
	:	
<b>LEE FRIEDMAN</b>	:	
<b>Burglar Alarm License</b>	:	FINAL ORDER OF
<b>No. 34BA00101200</b>	:	DISCIPLINE
<b>Fire Alarm License</b>	:	
<b>No. 34FA00083700</b>	:	
	:	
TO PRACTICE AS A BURGLAR ALARM &	:	
FIRE ALARM LICENSEE IN NEW JERSEY	:	

This matter was opened to the New Jersey State Fire Alarm, Burglar Alarm and Locksmith Advisory Committee ("the Committee") upon receipt of information which the Committee has reviewed and on which the following preliminary findings of fact and conclusions of law are made:

**FINDINGS OF FACT**

1. Lee Friedman ("respondent") is licensed to practice as a burglar alarm installer and a fire alarm installer in the State of New Jersey and has been at all times relevant hereto. Respondent failed to renew his burglar alarm license and his fire alarm license prior to their expiration on August 31, 2010. As a

result, respondent's burglar alarm license and fire alarm license are suspended, pursuant to law, specifically N.J.S.A. 45:1-7.1(b), for failing to renew both licenses within 30 days of their expiration date.

2. The Committee received information that respondent was arrested on May 14, 2009, by the Parsippany Troy Hills Police Department and charged with one (1) count of "Simple Assault" (N.J.S.A. 2C:12-1A), and one (1) count of "Threaten to Kill" (N.J.S.A. 2C:12-3b).

3. The Committee sent a letter to respondent dated August 4, 2009. The letter requested that respondent provide the Committee with information concerning the arrests, as well as the dispositions of the charges. The letter was sent to respondent's address of record, via regular and certified mail.

4. Respondent failed to provide a response to the August 4, 2009 letter regarding his arrests. On December 23, 2009, the Committee received a complaint from consumer H.T. The complaint concerned an alarm system installed by respondent's company, Apollo Alarms, Inc. H.T. stated that respondent did not return numerous phone calls made by the consumer. H.T. called respondent attempting to obtain the correct lock-out dealer code for his alarm system. Eventually respondent did respond, but provided the incorrect dealer code.

5. On December 29, 2009, the Committee received a

complaint from consumer J.N. In the complaint, J.N. asserts he accidentally activated his burglar alarm system, but the central security station was not contacted. J.N. called Apollo Alarms and was informed that a technician would be dispatched. After three days, a technician was not dispatched. J.N. called respondent. Respondent indicated he had relocated to Georgia and was no longer involved with his alarm business. Respondent referred J.N. to EEC Alarm Company, another licensed contractor. EEC dispatched a technician to respondent's residence, but could not determine why the central station was not receiving the alarm signal. J.N. states that Apollo Alarms sent invoices to him for monitoring services that were non-existent.

6. Subsequent to receipt of the complaints from H.T. and J.N., the Committee attempted to contact respondent, via his business telephone number on record with the Committee. Numerous attempts to contact respondent were unsuccessful. Additionally, it was discovered that the renewal applications for respondent's individual burglar alarm and fire alarm licenses, which were mailed to respondent's address on record, were returned to the Committee office. To date, respondent has failed to provide the requested information concerning his arrests and the Committee has been unable to contact respondent concerning the two consumer complaints.

### **CONCLUSIONS OF LAW**

Respondent's failure to respond to the Board's request for information constitutes a violation of N.J.S.A. 45:1-21(e) in that respondent has engaged in professional misconduct by failing to cooperate with the Committee's investigation in contravention of N.J.A.C. 13:45C-1.2 & 1.3. Additionally, respondent's failure to renew his burglar alarm license, and his fire alarm license, within thirty (30) days of its expiration, has resulted in both licenses being currently suspended by application of N.J.S.A. 45:1-7.1(c).

### **DISCUSSION**

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on October 7, 2011. A copy of the order was forwarded to respondent's address of record, via regular and certified mail, on October 21, 2011. The Provisional Order was subject to finalization by the Committee at 5:00 p.m. on the 30<sup>th</sup> business day following its entry unless respondent requested a modification or dismissal of the above stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal, setting forth in writing and all reasons why said findings and conclusions should not be modified or dismissed, and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefore.

Both the regular and certified mailing of the Provisional Order of Discipline were returned to the Committee marked "Not Deliverable". Since the Provisional Order of Discipline was sent to respondent's address of record, the Committee deems service to be effected. Respondent cannot evade process by failing to notify the Committee concerning his change of address. N.J.A.C. 13:31A-1.8(a) requires respondent to notify the Committee of a change of address in writing, by certified mail, return receipt requested, not later than 30 days following the change of address. As such, the Committee determined that the Provisional Order of Discipline, entered on October 7, 2011, is to be finalized as written.

**ACCORDINGLY, IT IS, on this 17 day of April , 2012,**

**ORDERED that:**

1. Respondent's licenses, #34BA00101200 & #34FA00083700, shall be and hereby are suspended by operation of N.J.S.A. 45:1-7.1, without a hearing.

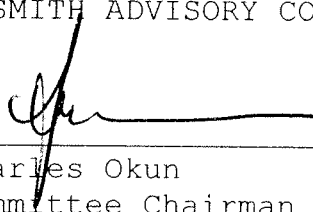
2. Prior to the Committee entertaining any petition for reinstatement of his license to engage in the Fire Alarm Business or his license to engage in the Burglar Alarm Business, respondent shall be required to appear before the Committee to demonstrate fitness to resume practice and to provide information concerning the information received regarding unlicensed practice in New Jersey, to discuss the complaints received by H.T. and

J.N., as well as information regarding respondent's activities from the date of license lapse until the date of the appearance. Further, respondent shall satisfy any requirements for reinstatement of licensees with lapsed licenses pursuant to N.J.S.A. 45:1-7.1(b). Any practice in this State prior to said appearance and reinstatement of licenses shall constitute grounds for a charge of unlicensed practice.

3. Nothing in this order precludes the Board from taking disciplinary action regarding the activities underlying the allegations of unlicensed practice and the complaints received from consumers H.T. and J.N. , as well as for respondent's arrest on May 14, 2009. Additionally, the Committee reserves the right to place restrictions on respondent's practice should his licenses be reinstated.

NEW JERSEY STATE FIRE ALARM, BURGLAR ALARM,  
& LOCKSMITH ADVISORY COMMITTEE

By: \_\_\_\_\_

  
Charles Okun  
Committee Chairman